THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.778 of 2007

25.1.2007

Between:

B.Ramesh Kumar, S/o.B.S.R.S.V.Prasad

… Petitioner

AND

The Special Grade Deputy Collector and Revenue Divisional Officer, Ranga Reddy District, East Division, Goshamahal, Hyderabad

And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.778 of 2007

ORDER:

The petitioner herein claims to be owner of land admeasuring Acs.1.08 guntas in survey No.608 situated at Puduru village of Medchal Mandal in Ranga Reddy District. He allegedly purchased the same under registered sale deed dated 22.2.1996 from M/s.Erupula Yenkamma, Erupula Pochaiah, Erupula Shankaraiah and Erupula Swamy, who are allegedly Laoni patta holders. Be that as it is, second respondent initiated action under A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity) and by an order dated 18.10.2005 directed resumption of the land for contravention of conditions of assignment. The petitioner preferred appeal under Section 4A of the Act. He also filed an application for stay of dispossession. By impugned order in File No.B/5345/06, dated 04.1.2007, the appellate authority – first respondent herein; refused to grant interim order, aggrieved by which the present writ petition is filed.

A perusal of the impugned order of the second respondent dated 18.10.2005 would show that the petitioner was found to be in possession of the land in which lime, orange, pomegranate and grade garden are existing. Such being the case, if interim order is not granted even if the petitioner ultimately succeeds in the appeal under Section 4A of the Act, he would not be able to get the benefit of such order. Therefore, the impugned order rejecting interim relief cannot be sustained. The order of *status quo* passed by this Court on 11.1.2007 shall continue till the appeal is disposed of by the first respondent. Further, this Court observes that the first respondent may dispose of the appeal within a period of four weeks from the date of receipt of a copy of this order, after giving notice of hearing to the petitioner herein.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

January 25, 2007.

NOTE:

Dispatch order copy by 27.1.2007.

(By order)

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